THE HON'BLE SRI JUSTICE RAMESH

RANGANATHAN

W.P.No. 6170 OF 1997

DATE: 5-2-2007

Kintali Venkata Raman ... Petitioner

And

1. A.P.S.E.B rep. By its
Member Secretary,
Hyderabad and 2 others .... Respondents

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W.P.No. 6170 OF 1997

ORDER:

The petitioner claims to be a Revenue Cashier and to have been attending the work of operation of bank accounts of the 2nd respondent. He seeks regularization of his services in terms of G.O.Ms.No.212 dated 22.4.1994. The petitioner claims to have been appointed on 1.9.1992 on commission basis and to have been entrusted with duties of Revenue Cashier in the office of the 2nd respondent and apart from record keeping to have also attended the work of operation of bank accounts in the office of the 2nd respondent. Petitioner would seek regularization of his services in terms of G.O.Ms.No.212 dated 22.4.1994.

Sri Samineni Kishore, Learned Standing Counsel, on the other hand, would contend that the petitioner is not even an employee of the A.P.S.E.B. and that his services were engaged by the Srikakulam Rotary Club. These averments cannot, however, be taken note of in the absence of a counter affidavit being filed by the respondents. The fact, however, remains that there is nothing on record to show that the petitioner was appointed by the A.P.S.E.B. In the material papers filed along with the writ petition there is a copy of the identity card and bank statement of A.P.S.E.B. The identity card merely enables the petitioner to enter into the premises of the A.P.S.E.B. The bank statement

would not by itself show that the petitioner was appointed in the APSEB. It is only if the petitioner was engaged by the A.P.S.E.B and had satisfied the conditions stipulated in G.O.Ms.No.212 dated 22.4.1994 would he be entitled to seek regularization in terms thereof. In the absence of any evidence on record to show that the petitioner was appointed by A.P.S.E.B. I am not inclined to grant the relief sought for.

Ends of justice would be met if the petitioner is permitted to submit a representation to the 1st respondent enclosing documentary proof of his being appointed by the A.P.S.E.B. and to show that his services were engaged by the Board. Sri P.Lakshman Rao, learned counsel for the petitioner, would submit that a representation would be submitted by the petitioner within four weeks from the date of receipt of a copy of the order. Needless to state that in case such a representation is filed within the aforesaid time stipulated, the respondents shall consider the same and pass appropriate orders thereon in accordance with law within a period of four months from the date of receipt of the representation.

The writ petition is disposed of accordingly. However in the circumstances without costs.

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5-2-2007

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